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09/618,809	07/18/2000	Robert Brookes	1520A1	8005

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EXAMINER	
SHAFFER, ERIC T	
ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 05/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/618,809	Applicant(s) BROOKES ET AL.	
	Examiner Eric T. Shaffer	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 July 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 July 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. The following is an initial Office Action upon examination of the above-identified application on the merits. Claims 1 – 46 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 6, 9 - 13, 38 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Siegrist, Jr. (US 5,652,842).

4. As per claim 1, Siegrist, Jr et al discloses a method of coordinating services, comprising the steps of: providing a database of service providers (column 3, lines 40 - 45); obtaining service need information concerning a customer (column 3, lines 32 - 34); selecting at least a portion of the service the database based on the service need information (column 4, lines 3 – 6, his "which patient groups in which hospitals"); ranking the selected service providers; (column 10, lines 28 – 31, his ranking of hospitals by lowest cost per case with lowest ranked first) and presenting at least one of the ranked service providers to the customer for choice to perform the service (table VII, columns 93 and 94).

5. As per claim 2, Siegrist, Jr et al discloses a method as claimed in claim 1, wherein the providing step is practiced by: defining a plurality of service zones (column 6, lines 40 – 45, his use of zip code to define zones);

establishing at least one service factor for each service zone, the service factor including a price adjustment for services provided by the service providers in the service zone (column 13, line 32, his "length of stay")

identifying service providers in each service zone willing to provide services at a price incorporating the service factor (column 13, lines 58 – 60, his client hospital);

inputting the identified service providers into the database (column 7, lines 21 - 23).

6. As per claim 3, Siegrist, Jr et al discloses a method as claimed in claim 2, including obtaining a first price for a repair service (column 10, line 50, his "CostTable");

adjusting the first price by the at least one service factor to define a modified price (fig. 11b, his direct cost per case is adjusted to obtain a total cost per case).

7. As per claim 4, Siegrist, Jr et al discloses a method as claimed in claim 2, including establishing at least one supplemental service factor for at least a portion of the service providers in the database (fig. 11b, his "direct cost per case" is adjusted to obtain a "total cost per case").

8. As per claim 5, Siegrist, Jr et al discloses a method as claimed in claim 4, including ranking the selected service providers by supplemental service factor (figure 11c, his ranking of cost factor by deviation from an average cost).

9. As per claim 6, whole Siegrist, Jr et al does not explicitly disclose the feature of adjusting a first price for services in a service zone by the service factor and supplemental service factor to obtain a total discount price. However, this feature is deemed to be inherent to the Siegrist, Jr et al invention as lines 34 – 37 of column 4 show that "a single competitor is more superior in a particular area" and that this factor does in fact justify a higher premium price and

enabling competitors to offer a discounted price on the same service due to the specialization service factor and supplemental service factors.

10. As per claim 9, Siegrist, Jr et al discloses a method wherein the selecting step is practiced by: generating a reference area (column 6, lines 40 – 45, his use of zip code to define zones); identifying service providers in the database located in the reference area (table VII, columns 93 and 94).

11. As per claim 10, Siegrist, Jr et al discloses a method as claimed in claim 1, wherein the ranking step is practiced by obtaining a primary ranking by determining at least one of a last service date, a supplemental service factor, and a satisfaction index for each service provider and ranking the selected service providers by at least one of the last service date, supplemental service factor, and satisfaction index (column 1, line 32, his "discharge date" is a last service date).

12. As per claim 11, Siegrist, Jr et al discloses a method as claimed in claim 10, obtaining a secondary ranking by:

selecting at least a portion of the service providers from the primary ranking (column 4, lines 3 – 6, his parameters to determine which patient groups and hospitals to compare);

ranking the selected portion of the selected service providers by at least one of the last service date, supplemental service factor, and satisfaction index to form the secondary ranking (column 12, lines 42 - 47, where service providers are ranked by the supplemental service factor of their respective payor).

13. As per claims 12 and 13, Siegrist, Jr et al discloses the methods, wherein the selected service providers are selected by selecting the top 20% of the service providers from the primary ranking (column 10, lines 24 – 35, where the ranking and limiting a list to a given number of items and to an average is discloses).

14. As per claim 38, Siegrist, Jr et al discloses an apparatus for coordinating services, comprising:

a data storage device (figure 1, item 12) and (column 3, lines 32 –33);

a processor (figure 1, item 11) connected to the data storage device, the storage device storing a program and a database of service providers, wherein the processor is operative with the program to receive service need information, to select at least a portion of the service providers in the database based on the service need information, and to rank the selected service providers (column 10, lines 24 - 34).

15. As per claim 39, Siegrist, Jr et al discloses the apparatus as claimed in claim 38, wherein the processor is further operative with the program to:

receive a plurality of service zones (column 6, lines 43 – 46, his zip code field);

Borghesi et al do not explicitly disclose the feature of inputting at least one service factor for each service zone. However, this feature is deemed to be inherent in comparison of the Diagnosis Related Groups in Table V, which show that some service providers offer services that other service providers do not offer, which discloses a major service factor that distinguishes hospitals in the same service zone.

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

17. Claims 14 – 17 and 41 - 44 are rejected under 35 U.S.C. 102(a) as being anticipated by the web site www.safelite.com as archived on June 20, 2000.

As per claims 14 and 41, www.safelite.com discloses the method and apparatus of coordinating an automotive glass repair process for a customer, comprising the steps of:

providing a database of glass repair shops (page 3, a database of "over 700 stores across America");

obtaining glass loss information (page 9, the make and model of the car with glass damage and page 10, "on what day and time did the damage occur?");

selecting at least a portion of the glass repair shops in the database based on the glass loss information (page 3, "enter your zip code below for a list of service center addresses and phone numbers);

ranking the selected glass repair shops; and presenting at least one of the ranked repair shops to the customer for choice to perform the glass repair (page 3, "enter your zip code below for a list of service center addresses and phone numbers", where the service centers are ranked by geographical proximity to the entered address.

18. As per claims 15 and 42, www.safelite.com discloses the method and apparatus wherein the providing step is practiced by:

determining a plurality of service zones (page 3, "enter your zip code below for a list of service center addresses and phone numbers);

establishing at least one service factor for each service zone, the service factor including an adjustment to a first price to define a modified price (page 8, "Safelite will meet or beat any competitors price");

for each service zone, inputting into the database information for those repair shops that are willing to conduct repairs at the modified price (page 8, where "Safelite will meet or beat any competitors price" at their "700 stores nationwide", which are also in the database (page 3).

19. As per claims 16 and 43, www.safelite.com discloses the method and apparatus including establishing at least one supplemental service factor for at least a portion of the repair shops in the database, the supplemental service factor including an additional price adjustment to the first price to obtain a total discount price (page 8, where "Safelite will meet or beat any competitors price" at their "700 stores nationwide", which are in the database (page 3).

20. As per claims 17 and 44, www.safelite.com discloses the method and apparatus wherein the selecting step is practiced by:

defining a reference point (page 3, "enter your zip code");

generating a reference area around the reference point (page 3, enter your zip code below for a list of service center addresses");

selecting glass repair shops in the database within that reference area.

21. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

22. Claims 20 – 27 and 29 - 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Borghesi et al (US 5,950,169).

As per claim 20, Borghesi et al discloses a method of coordinating an automotive glass repair process for a policyholder of an insurance company, comprising the steps of:

inputting data for a plurality of glass repair shops into a data storage device, the data including a geographic location designation, a service factor and a supplemental service factor for each repair shop (column 12, lines 2 –3 where "the user may create or edit administrative data");

receiving glass loss information about the policyholder (column 12, lines 3 – 4 where the user may "create or edit vehicle information, create or edit an estimate of damage");

ranking at least a portion of the repair shops in the database based on at least one of the glass loss information, service factor and supplemental service factor;

presenting at least one of the ranked repair shops to the policyholder for choice to perform the glass repair (column 16, lines 2 – 3) and (figure 16, item 402).

23. As per claim 21, Borghesi et al discloses the method as claimed in claim 20, wherein the inputting step is practiced by:

identifying a plurality of service zones (column 9, line 50 –52, with "specifics on the repair site such as location and state");

identifying a comparison glass repair cost (column 12, lines 57 – 58, where "the user may also compare the total estimate to a threshold value");

establishing at least one service factor for each service zone, the service factor including a price adjustment to the first price to define a modified price (column 15, lines 51 – 52, where the price adjusting service factor is whether the replacement parts are OEM, A/M or salvage parts);

designating repair shops which are willing to conduct glass repairs for the modified price as approved repair shops (column 16, lines 2 - 3);

establishing at least one supplemental service factor for at least one of the approved repair shops, the supplemental service factor including an additional price adjustment to the modified price to obtain a supplemental discount price (column 12, line 55, where the supplemental service factor is labor rates);

inputting the approved repair shops into the data storage device (column 11, line 5 - 7);

24. As per claims 22 and 24, Borghesi et al discloses the wherein when the policyholder has a preferred repair shop and the preferred repair shop is one of the repair shops in the database, the method includes selecting that preferred repair shop to conduct the glass repair (figure 16, item 402) and (column 16, lines 2 – 3, where the preferred repair shop is participant in the DRP direct repair program).

25. As per claim 23, Borghesi et al discloses the method as claimed in claim 20, wherein when the policyholder has a preferred repair shop and the preferred repair shop is not a repair shop in the database, the method includes determining whether the preferred repair shop will conduct the glass repair at about the modified price (column 16, line 30 – 33, where non-DRP is a facility not preferred by the insurer).

26. As per claim 25, Borghesi et al discloses method as claimed in claim 23, wherein when the preferred repair shop is not willing to conduct the glass repair at the modified price, the method includes:

conducting a competitive bidding between the preferred repair shop and at least one of the approved repair shops (column 18, line 66 – column 19, line 2, the competitive bidding between salvagers via e-mail);

obtaining a lowest repair price from the bidding process (column lines 50 – 53, the "lowest replacement cost" of OEM, A/M or salvage parts);

paying the policyholder the amount of the lowest bid (column 18, line 52 – 55, where the insured policyholder is paid the lowest amount of repair or total loss).

27. As per claim 26, Borghesi et al discloses the method as claimed in claim 21, wherein when the policyholder does not have a preferred repair shop, the method includes:

selecting at least one approved glass repair shop from the data storage device (column 16, lines 2 – 3) and (figure 16, item 402).

scheduling a repair visit for the policyholder at the selected approved repair shop (column 16, lines 21 – 22, where "the insured signs the work order and schedules repair work with the body shop").

28. As per claims 27, 33 and 34, Borghesi et al discloses methods as claimed in claim 26, including:

determining a policyholder reference location (column 9, lines 30 - 32);

generating a reference area including the reference location and capturing approved repair shops in the reference area (column 9, lines 49 –51, where the reference location of the policyholder and of the repair shop are based on address location and state);

Borghesi et al does not explicitly disclose ranking the captured approved repair shops from a first ranked to a last ranked repair shop or starting from the first ranked repair shop, presenting at least one of the ranked repair shops to the policyholder to select a repair shop to conduct the glass repair. However, this feature is deemed to be inherent to the Borghesi et al system as lines 64 – 67 in column 15 show that automotive repair shops are ranked primarily on whether they employ a direct repair program.

29. As per claim 29, Borghesi et al discloses the method as claimed in claim 26, including:

sending a work order to the selected repair shop to confirm the repair visit (column 16, lines 15 – 19, the "Estimate-of-Record");

receiving a repair bill from the selected repair shop after the repair visit is completed (column 16, line 59 – 60, the "computerized estimate");

invoicing the repair shop bill against the work order (column 18, lines 10 – 13, where "the insurance company sends an authorization").

30. As per claim 30, Borghesi et al discloses the method as claimed in claim 29, including:

sending a bill to the insurance company in the amount of the repair bill (column 16, lines 47- 48);

receiving payment from the insurance company for the repair shop bill (column 5, lines 24- 25) and (column 16, lines 53 - 54);

paying the selected repair shop for the repair a visit (column 5, lines 24- 25).

31. As per claim 31, Borghesi et al discloses the method as claimed in claim 30, including billing the insurance company a fixed fee for each glass repair transaction (figure 10, item 304, where the fee for each service is stored in a database and is displayed via said screen).

31. As per claim 32, Borghesi et al discloses verifying that the policyholder has a current insurance policy with the insurance company (column 16, line 44 - 45).

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

33. Claims 18, 19, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the web site www.safelite.com in view of Siegrist Jr. et al (US 5,652,842).

34. As per claims 18 and 45, www.safelite.com teaches a list of service provider who will adjust a price downward to meet or beat the price of a competitor. www.safelite.com also teaches a listing at least a portion of the selected glass repair shops in the reference area a directory of glass repair shops, but does not teach placing the list of repair shops in chronological order based on the last service date. Siegrist Jr. et al teaches the last day of service as a discharge date (column 1, line 32) and (figure 12a) and also teaches generating lists of ranked service providers (column 10, lines 24 – 34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the www.safelite.com directory list of service providers with the chronological ordering functionality of the Siegrist Jr. et al invention because such an invention would allow users to determine which service providers had performed work most recently. This would be useful in allowing users to determine if the service provider were still in business or was still performing the needed repair services. Such a device would also allow users to evaluate any supplemental service factors in order to evaluate what service providers had performed the best work most recently. Such an invention would allow users to evaluate repair service providers more accurately and more efficiently in a timely manner.

35. As per claims 19 and 46, www.safelite.com teaches a list of service provider who will adjust a price downward to meet or beat the price of a competitor and also teaches a supplemental service factor of a satisfaction measurement (page 12). www.safelite.com also teaches a listing at least a portion of the selected glass repair shops in the reference area a directory of glass repair shops, but does not teach placing the list of repair shops in chronological order based on the last service date. Siegrist Jr. et al teaches the last day of service as a discharge

date (column 1, line 32) and (figure 12a) and also teaches generating lists of ranked service providers (column 10, lines 24 – 34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the www.safelite.com directory list of service providers with the chronological ordering functionality of the Siegrist Jr. et al invention because such an invention would allow users to determine which service providers had performed work most recently. This would be useful in allowing users to determine if the service provider were still in business or was still performing the needed repair services. Such a device would also allow users to evaluate the supplemental service factor of the satisfaction index in order to evaluate what service providers had performed the best work most recently. Such an invention would allow users to evaluate repair service providers more accurately and more efficiently in a timely manner.

36. Claims 7, 8 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegrist Jr. et al (US 5,652,842) in view of the web site www.safelite.com.

As per claims 7 and 8, Siegrist Jr. et al teaches a database of service providers that can be ranked according to cost (column 10, lines 24 - 34) and presented by service zone (column 6, lines 40 – 45, zip codes). Siegrist Jr. et al does not teach a satisfaction index. www.safelite.com teaches a method including establishing a satisfaction index for at least a portion of the service providers in the database (page 12, their "Satisfaction Measurements"). www.safelite.com also teaches a database of service providers, where a portion of the database can be selected and presented by zip code (page 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Siegrist Jr. et al ranking functionality with

the www.safelite.com satisfaction index because ranking would put the satisfaction index number in context and allow various locations to be compared against each other. The index number for one specific service provider would in point of fact be meaningless without the ability to compare said number to a similarly derived score that evaluated competing service providers. Placing the satisfaction index numbers in ranked order would allow various service providers to be compared at a glance in a fast and easy manner (column 10, lines 24 - 34).

37. As per claim 40, Siegrist Jr. et al teaches the apparatus as claimed in claim 39 and teaches the supplemental service factor of ranking by cost in order to determine the lowest cost service provider (column 10, lines 24 – 34). Siegrist Jr. et al does not teach a satisfaction index for each service provider in the database. www.safelite.com does teach a satisfaction index (page 12, a "satisfaction measurement". It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the service factor of cost evaluation of the Siegrist Jr. et al invention with the www.safelite.com directory list of service providers because such an invention would give a customer two factors on which to base a purchase decision. Allowing both price and customer satisfaction to both be presented simultaneously would give the customer more information and would empower said customer to more accurately and efficiently choose a service provider.

38. Claims 28 and 35 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the web site Borghesi et al (US 5,950,169) in view of Siegrist Jr. et al (US 5,652,842).

39. As per claim 28, Borghesi et al teaches the supplemental service factor of selecting a repair service provider based on accreditation and participation in the direct repair program

(column 15, line 67). Borghesi et al further teaches the primary service factor of cost by teaching the use of OEM, A/M or salvaged repair parts (column 15, lines 50 – 53). Borghesi et al does not specifically teach the supplemental service factor of ranking of repair facilities by date of last service. Siegrist Jr. et al teaches obtaining a secondary ranking to select repair shops based on the date of last repair service as a discharge date (column 1, line 32) and (figure 12a). Siegrist Jr. et al also teaches the ranking of repair service providers (column 10, lines 24 – 35, where the ranking and limiting a list to a given number of items and to an average is discloses).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the lowest cost methodology and insurance functionality of the Borghesi et al invention with the list ordering of service providers and the last service date functionality of the Siegrist Jr. et al invention because such an invention would allow users to because such an invention would allow users to determine which service providers had performed work most recently. This would be useful in allowing users to determine if the service provider were still in business or was still performing the needed repair services. Such a device would also allow users to evaluate the length of time a service provider had been providing said service in order to determine if the service provider has a long and successful history of providing quality service and also to know whether quality has changed between the first and latest times such a service had been provided. Such an invention would allow users to evaluate repair service providers more accurately and more efficiently in a timely manner.

40. A per claim 35, Borghesi et al teaches the supplemental service factor of selecting a repair service provider based on accreditation and participation in the direct repair program

(column 15, line 67). Borghesi et al further teaches the primary service factor of cost by teaching the use of OEM, A/M or salvaged repair parts (column 15, lines 50 – 53). Borghesi et al does not specifically teach the supplemental service factor of ranking of repair facilities by date of last service.

Siegrist Jr. et al teaches obtaining a primary ranking by ranking the captured repair shops by the supplemental service factor of cost providers (column 10, lines 24 - 34), with the repair shop having the lowest price and hence the highest cost savings and largest cost supplemental service factor ranked first, and the repair shop having the highest price and hence the lowest cost savings or value lowest supplemental service factor ranked last. Siegrist Jr. et al also teaches obtaining a secondary ranking to select repair shops based on the date of last repair service as a discharge date (column 1, line 32) and (figure 12a).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the lowest cost methodology and insurance functionality of the Borghesi et al invention with the list ordering of service providers and the last service date functionality of the Siegrist Jr. et al invention because such an invention would allow users to obtain and analyze more decision making factors from the combined inventions that from either invention standing alone. Such a combination would allow the customer to consider cost, certification, date of last rating as factors in their choice of a service provider and would allow each individual customer to attach whatever importance they individually felt that these factors should merit as important in their individual decision making process. Giving the user more information and greater freedom to analyze said information increases efficiency and accuracy for users of the combined system.

41. As per claim 36, Siegrist Jr. et al et al teacher the method where the selected repair shops for secondary ranking are selected by selecting the top 20% of repair shops from the primary ranking (column 10, lines 24 – 35, where the ranking and limiting a list to a given number of items and to an average is discloses).

42. As per claim 37 Siegrist Jr. et al et al teaches the method where the selected repair shops for secondary ranking are selected by selecting the top five to ten repair shops from the primary ranking (column 10, lines 24 – 35, where the ranking and limiting a list to a given number of items and to an average is discloses).

Conclusion

43. No claims were allowed and all claims were rejected.

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Hagan et al (US 6,314,406) – Customer survey system.
Atcheson et al. (5,583,763) – Expert based commerce system.
Gindlesperger (6,397,197) – Lowest bidder apparatus and method.
cartalk.cars.com as archived on July 7, 2000 - Web site on automobile repairs.

44. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric Shaffer whose telephone number is (703) 305-5283. The Examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington D.C. 20231

Or faxed to:

(703) 746-7238	[After Final communications, labeled "Box AF"]
(703) 746-7239	[Official communications]
(703) 706-9124	[Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2121 Crystal Drive, Arlington, VA, 7th floor receptionist.

ETS
April 20, 2002

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600